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MAY 14 2012

LUNENBURG TOWN  
CLERK OFFICE

BOARD OF SELECTMEN  
MEETING MINUTES

1/24/12

*RB* *CS* *SM*

The Board of Selectmen met in the Joseph F. Bilotta Meeting Room, Town Hall as scheduled with David Matthews, Steven M. deBettencourt, Paula Bertram, Tom Alonzo, Carl "Ernie" Sund and Town Manager Kerry Speidel present. Regular Meeting opened at 7:00 PM with the Pledge of Allegiance.

**PUBLIC COMMENT**

Mr. Alonzo reported that today the MUNI Bill was voted favorably out of the joint sub committee and now it goes to the full house and is on point in this session. He thanked the joint sub-committee, including Senator Flannagan, for voting favorably for it.

Mr. Matthews thanked the Council on Aging and the people at the Eagle House for moving ahead themselves and removing the old septic mount from behind the building.

Mr. Matthews recognized and thanked Boy Scout Allen Parker on his Eagle Scout project at Veteran's Memorial Park. Mr. Parker replaced the old wooden posts with granite.

Dave Prokowiew, 733 West St, had questions concerning the solar project on Electric Ave. He wanted to know if the town had adopted the Green Communities recommendations and he also had concerns about "as of right" language being included in the town bylaws. Mr. Matthews said that we have not gone through the whole process of being a "green community" yet. Mr. Alonzo also commented and said that the town, at Town Meeting, had adopted as of right, solar capabilities in the town.

Mr. Matthews also said that there is an opportunity to update that bylaw and that the BOS would be working with the Planning Board and Green Communities task force to work out an update to it. Mr. Prokowiew asked who the ultimate authority as to whether or not this project goes forward. Mr. Matthews said it goes to the Planning Board, to the Zoning Official and if there is a push back it would go to the Zoning Board of Appeals. He also stated that with the "solar" it is a little more restricted and currently in the bylaw there is not a lot of protection in place. The town had adopted an early version of the bylaw and then the state came out with a newer version about a year later which the town had missed. He explained that once a plan has been submitted to the Planning board, they have to work with the existing Zoning that is in place.

Mr. Prokowiew questioned the timeline of changing the bylaw. He was told it has to be changed at town meeting. Mr. Alonzo stated that the Chairperson to the Planning board has reached out to the BOS to work toward a modification and a change in the current solar bylaw to place restrictions on it that are not currently there. To change the bylaw successfully would take time.

**ANNOUNCEMENTS -**

**APPOINTMENTS**

**7:30 PM Presentation by VHB Engineering on Summer Street Alternatives Analysis** – Representatives from VHB (VanasseHangenBrustlin), Patricia Domigan, Laura Castelli and Steve Derdarian, presented a slide show update of the plans to renovate Summer Street. Explained in the presentation were the deficiencies that have occurred in the pavement, sidewalks, drainage failure etc. Three plans were presented to the BOS: Option A of one lane in each direction of the road, Option B of two lanes in each direction, and Option C of a center turn lane. Improvements to the green space were also presented. The Mass Department of Transportation has approved \$6.4M dollars to cover this project.

After the presentation Mr. Matthews opened the meeting up to residents for comments.

Cheryl LeBlanc, 17 Summer St, spoke in saying that she liked Option 1. She said that the Lunenburg police sit in front of her house a lot of times to prevent crashes and that this was going to save a lot of lives.

Ed LeBlanc, 87 Summer St, said that Plan 1 looks fantastic for the area for safety. He said that the traffic is all over the street and that there is no focus on the street. He thought this was a great step forward.

Joe Smalley, Owner of Daewoo North was concerned with the project impeding access to his business and others. Ms. Domigan explained to him that these are just concept plans and they are looking to stimulate the economy and not to put people out of business. She said that they will be working with Mr. Smalley, other business owners, and residents to make sure that they have access in and out of their businesses appropriately and safely.

Discussion ensued among the board members on which options they preferred and timelines. Mr. Matthews thanked VHB for their presentation.

### **CURRENT BUSINESS**

**1. Open Warrant for Annual Town Meeting, May 5, 2012-** Ms. Speidel suggested that the BOS open the warrant for the May 5, 2012 Town Meeting this evening and close on Monday March 5, 2012 at 4PM. Mr. Alonzo moved that they open the Annual Town Meeting Warrant to be closed at the end of business day at 4PM on March 5<sup>th</sup>. Mr. Sund seconded the motion. On vote motion carried, 5 in favor, 0 opposed.

**2. Minutes/Warrants/Action File Issues – The following minutes and warrants were presented for approval.**

1. Minutes - None
2. Warrants – AP \$361,684.28  
AP \$367,840.89
3. Action File Issues – None

**3. Committee Report –** Ms. Bertram stated that she had attended the pervious evenings planning board meeting and would like to follow up on questions relative to the solar farm. She stated that Unitil has received applications already that will consume 3% of alternative energy and would like to get clarification from Unitil as to how these projects will impact the town project on the land fill.

She also would like clarification on the Chase Rd/West Townsend Rd project to make sure that there is no issue with fluctuation of power because of the where the proposed projects/substations are located. She would like to know where we are at with the order of application and if another project will have a detrimental effect on our project. Ms. Speidel will follow up with Unitil on all of these issues.

Mr. Alonzo said that the budget committee had met to discuss the amount of funds to be asked for, for the override at Town meeting in May.

Ms. Bertram stated that she could not attend the Montachusett Metropolitan Planning Organization dinner as she will be out of State. She requested information on this meeting from the Town Manager because she is interested in serving on this board. She would like another representative from the BOS to go in her place. Mr. Sund will attend the meeting.

**4. Department Reports - None**

**5. Town Manager Reports-** Ms. Speidel attended the MMA meeting and reported that it looks very favorable given the economic condition. There was a release of what some of the Cherry Sheet accounts will look like and for Lunenburg in FY13 the Chapter 70 will increase in excess of \$500,000. over this current year which is great news. The Governor is also proposing to level fund general government unrestricted aide if there is an excess at the close of FY12. They will give a supplemental payment to level fund the town.

Ms. Speidel has not received any specific information on Health Insurance renewal but has received the assessment from the Worcester Regional Retirement System and that came in higher than expected.

### **OLD BUSINESS**

### **APPOINTMENTS/RE-APPOINTMENTS/RESIGNATIONS –**

**1. Ratification of Police Sargent Appointment –** Ms. Speidel presented a notice of her appointment of Officer Michael Luth to the position of Police Sargent for the Lunenburg Police Department. The appointment was made based upon the recommendation of the Police Chief and it has her full and complete support.

Mr. Matthews stated that there is a new promotion policy within the department and it was negotiated with the union. This new policy was followed through and it came to this recommendation. He stated that there are a number of officers who are ready for this next step so in the future when openings come forth we will have very good candidates to the fill the ranks.

Mr. Sund made the motion to ratify Officer Luth to the position of Sargent. Mr. deBettencourt seconded the motion. On vote motion carried, 3 in favor, 2 abstaining (Alonzo, Bertram).

Mr. Alonzo explained that in his abstention he does not want it to reflect on Officer Luth. He thinks that he will make an excellent Sargent as would the whole slate of candidates that the Chief put forward. He feels that if they do ratify as this board, it supports not only the choice but also the process and the policy that the Chair had outlined and as a member of the board he feels that there were some miss-steps in that process.

Ms. Bertram explained that her abstention was for the same reasons that Mr. Alonzo had just outlined.

**EXECUTIVE SESSION –**

1. Mr. Alonzo moved that the board go into Executive Session Under M.G. L. Chapter 39, Section 23B (3), to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining or litigating position. Also to conduct strategy session in preparation for negotiations with non-union personnel; to actually conduct collective bargaining and contract negotiations with non-union personnel not to return to open session. Ms. Bertram seconded. On vote motion carried 5 in favor, 0 opposed.

Meeting adjourned at 8:30PM.

**UPCOMING MEETING SCHEDULE**

February 7, 2012

February 14, 2012

February 21, 2012

*Respectfully submitted,  
Susan Doherty, Recording Secretary  
Board of Selectmen*